



STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
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EARL RAY TOMBLIN
GOVERNOR

February 24, 2015

VIA HAND DELIVERY

The Honorable Tim Armstead
Speaker, West Virginia House of Delegates
Room 228M, Building 1
State Capitol Complex
Charleston, WV 25305

Re: Enrolled House Bill No. 2201

Dear Speaker Armstead:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill No. 2201 for technical reasons.

First, the bill's title is defective because it fails to indicate the Legislature's insertion of a definition for the term "commission." This is problematic in that other newly inserted defined terms, such as "net metering," "customer generator," and "cross-subsidization," are included in the title. This issue may be corrected either by referencing the definition of "commission" in the title, or by eliminating that definition altogether, as "commission" is already defined elsewhere for purposes of Chapter 24. *See* W. Va. Code § 24-1-2.

Second, the definition of "customer generator" on page 2, subsection (b), is flawed because the word "projected" on page 2, line 9, makes the definition ambiguous. A suggested fix for this technical issue is to change the word "projected" to "project" on page 2, line 9.

Third, the definition of "cross-subsidization" on page 2, subsection (c), is also flawed because the phrase "to electric retail customers to electric retails customers" on page 2, lines 13-14, is unintelligible. This error may be repaired by eliminating the phrase "to electric retails customers" on line page 2, line 14.

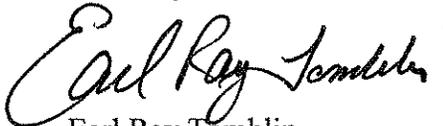
Finally, there is a technical error in the language contained on page 3, subsection (i), line 61. The term "standards" following the phrase "and as the same shall be amended," makes

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subsection (i) difficult to comprehend. A suggested fix for this technical issue is to move the term "standards at all times" from its current location to directly after "(IEEE)" on line 61.

For the foregoing reasons, I disapprove and return this bill.

Sincerely,

A handwritten signature in black ink that reads "Earl Ray Tomblin". The signature is written in a cursive style with a large, stylized initial "E".

Earl Ray Tomblin
Governor

cc: The Hon. William P. Cole, III
President of the Senate

The Hon. Natalie E. Tennant
Secretary of State